

### **REMARKS**

This responds to the Office Action mailed on April 28, 2006, and the references cited therewith.

Claims 23 and 29 are amended, claims 1-15 are canceled, and no claims are added; as a result, claims 16-31 are now pending in this application.

#### **§101 Rejection of the Claims**

Claims 16-31 were rejected under 35 U.S.C. § 101 as being directed to a non-statutory subject matter. Specifically, the Examiner stated that claims are not directed towards the final result that is useful, tangible and concrete.

Applicant, however, respectfully disagrees with the Examiner since claims 16-31 are describing a practical application and a final result which is concrete, useful and tangible.

Claims 16-31 are directed to an apparatus of an OLAP query generating engine, a method for generating an OLAP query or an OLAP data model based on an OLAP query for generating an OLAP query statement. The apparatus, method and data model in claims 16-31 have the practical application when they are used to generate OLAP queries which allow users to access different OLAP database servers using one or more database. Especially, by using the apparatus, method, or data model taught by Applicant and claimed in claims 16-31, the users do not have to know all different sets of query formats coming along with different OLAP database servers to manipulate the one or more database. The users can interact with the different OLAP database servers having different query formats via a common set of instructions.

Also, it is clear that Applicant's invention claimed in claims 16-31 creates OLAP query statements in one of the different query formats employed by the different OLAP database servers. The OLAP query statement is a concrete, useful and tangible result by Applicant's invention claimed in claims 16-31.

Claim 23 has been amended to more clearly define that it is a statutory subject matter with a practical application and a final result which is concrete, useful and tangible. Reconsideration is respectfully requested.

§102 Rejection of the Claims

Claims 16-20, 22-23, 25-26, 28-29 and 31 were rejected under 35 U.S.C. § 102(e) as being anticipated over Cazemier et al. (U.S. Patent No. 6,609,123).

Cazemier describes a query engine which formulates a data source query to obtain data from one or more data sources.

Although Cazemier describes a data model containing model objects which are used for formulating a data source query, Cazemier does not teach or suggest a query object model as taught by Applicant and claimed in claims 16-31. As pointed by the Examiner (Office Action, p. 5, lines 1-4), the metadata model in Cazemier stores metadata about its underlying one or more data sources (Abstract; Col. 3, lines 46-47, 51-52; Col. 6, lines 41-44).

Under Cazemier's approach, the metadata model has three layers: a data access layer, a business layer and a package layer (Abstract, Fig. 2A). The data access layer contains a part of the model objects that directly describe actual physical data in the underlying data sources and their relationship (Col. 8, lines 9-11). The business layer contains a part of the model objects that define the user's business entities and their inter relationship (Col. 8, lines 51-53). The package layer contains a part of the model objects that describe subsets of the business layer to provide an organized view of the information in the business layer (Col. 10, lines 30-34). The metadata model in Cazemier, however, does not teach or suggest a data structure or a data object which models an OLAP query instead of underlying data sources as described and claimed by Applicant.

Claim 29 has been amended to emphasize this difference. Reconsideration is respectfully requested.

With regard to claims 22 and 28, they are patentable as being dependent on a patentable base claim. In addition, Cazemier does not teach or suggest a query object model capable of specifying multiple query formats as taught by Applicant and claimed in claims 22 and 28.

The Examiner argues that Cazemier discloses an engine, wherein the query object model is capable of specifying first, second and third structured query formats. For support of this, the examiner points to col. 67, lines 10-15. The portion cited by the Examiner states that other

equivalent language supported by data source providers (e.g. PowerPlay cubes, which are accessible through MDX) may be used instead of SQL.

The cited portion does not, however, show how the metadata model in the query engine under Cazemier's approach can adapt to a plurality of different query formats as described and claimed by Applicant.

§103 Rejection of the Claims

Claims 21, 24, 27 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cazemier et al. (U.S. Patent No. 6,609,123), in view of Malloy et al. (U.S. Patent No. 6,122,636).

Claims 21, 24, 27 and 30 are, however, patentable as being dependent on a patentable base claim. In addition, neither Cazemier nor Malloy, alone or in combination, teach or suggest a query engine including a data object which is modeled based on an OLAP query and capable of specifying two different (the MDX and the RS) query formats as taught by Applicant and claimed in claims 21, 24, 27 and 30.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6909 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEE E. KILMER ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 373-6909

Date

July 26, 2006

By

Thomas F. Brennan

Thomas F. Brennan

Reg. No. 35,075

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26th day of July, 2006.

CANDIS BUENDING

Name

Signature

Candis Buending